

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 35

UNITED STATES PATENT AND TRADEMARK OFFICE

**MAILED**

**MAY 21 2003**

**PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte RANDALL B. METCALF

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Appeal No. 2002-2049  
Application No. 08/749,766

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ORDER PURSUANT TO 37 CFR § 1.14(g)

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A merits panel entered a decision accompanied by an opinion on May 2, 2003 (Paper No. 34, attached). The Board is of the opinion that the decision should be published.

Accordingly, it is

ORDERED that within one (1) month of the date of this order, applicant(s) may file an objection complying with all of the provisions of 37 CFR § 1.14(g)(2).

Appeal No. 2002-2049  
Application No. 08/749,766


It is

FURTHER ORDERED that to avoid any possibility of the Board overlooking any objection, it is requested that any objection be filed by fax (703-308-7953).<sup>1</sup>

It is

FURTHER ORDERED that counsel should indicate whether they wish to appear as counsel of record when the opinion is published, and if so, how counsel should be listed.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

  
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AMALIA L. SANTIAGO  
Chief Board Administrator  
(703) 308-9797

ALS:clm

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<sup>1</sup> In this respect, it is noted that an objection cannot be based on a trade secret rationale given the publication as patents of the parent and great-grandparent.

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Mintz, Levin, Cohn, Ferris,  
Glovsky & Popeo, P.C.  
12010 Sunset Hills Road  
Suite 900  
Reston, VA 20190